IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 278 OF 2005

THE GOA URBAN CO-OPERATIVE BANK LTD.,AND ANR., ...Petitioners

Versus

MR.RUI E. FERREIRA, PANAJI GOA ....Respondent

Mr. S..D. Lotlikar, Senior Advocate with Ms.Shreya S.Naik, Advocate for the Petitioners.

Coram:- R. M. LODHA, J.

Date:- 20th October, 2005

P.C.:

After having heard Mr. S.D. Lotlikar, the learned Senior Counsel for the Petitioners and upon perusal of the impugned Order dated 14.2.2005, I find that the petitioners would have been better advised if they had not spent unnecessary money on this litigation by filing Writ Petition before this Court. The Order dated 14.2.2005 is innocuous in so far as the petitioner-Bank is concerned as by that Order the Co-operative Tribunal has put in abeyance the revision application filed by the present respondent. Obviously, if the revision application filed by the present respondent had been deferred, such order does not operate prejudicial to the interest of the petitioner-Bank.

Insofar as challenge to the Order dated 14.2.2005 is concerned, suffice it to observe that any challenge to that order cannot be entertained for two grounds. First, the said order came to be passed on 14.2.2005 and for more than thirty months, the petitioners were not aggrieved by that Order. Second, and, more important, that now by the Order dated 14.2.2005, proceedings in the revision application have been deferred until the decision in the Writ Petition No.40/2004.

In sum and substance as already indicated by me, this Writ Petition is frivolous and does not deserve to be entertained. Needless to say that the application dated 13.12.2004 made by the petitioners before the Registrar shall be decided on its own merits uninfluenced by the impugned order.

Dismissed in limine accordingly.

R. M. LODHA, J.

sl.